



City of Venice  
 401 West Venice Ave., Venice, FL 34285  
 941-486-2626  
 DEVELOPMENT SERVICES - PLANNING & ZONING  
**VARIANCE APPLICATION**

VZ

VARIANCE

<b>Project Name:</b>	GCCF
<b>Parcel Identification No.:</b>	0389-00-2005, 0389-00-2006, 0389-00-1010, 0390-00-3040, 0389-00-2031, 0389-00-2030, 0390-00-3041, 0390-00-3030, 0390-00-3010
<b>Address:</b>	Border Road and Laurel Road
<b>Parcel Size:</b>	300 +/- acres
<b>FLUM designation:</b>	Mixed Use Residential (proposed)
<b>Zoning Map designation:</b>	PUD (proposed)
<b>Property Owner's Name :</b>	BORDER ROAD INVESTMENTS LLC, MYARRA PROPERTY JOINT VENTURES LLC, WOOLRIDGE IVESTMENT-FLORIDA LLC, and FC LAUREL LLC
<b>Telephone:</b>	
<b>Fax:</b>	
<b>E-mail:</b>	
<b>Mailing Address:</b>	5800 LAKEWOOD RANCH BLVD, SARASOTA , FL, 34240
<b>Project Attorney :</b>	Jeffery A. Boone, Esq.
<b>Telephone:</b>	941-488-6716
<b>Mobile / Fax:</b>	
<b>E-mail:</b>	jboone@boone-law.com
<b>Mailing Address:</b>	1001 Avenida Del Circo, Venice, Fl 34285
<b>Project Engineer :</b>	Melanie Smith, P. E., Stantec
<b>Telephone:</b>	(941) 907-6900
<b>Mobile / Fax:</b>	
<b>E-mail:</b>	Melanie.smith@stantec.com
<b>Mailing Address:</b>	6900 Professional Parkway East, Sarasota, FL 34240
<b>Project Architect :</b>	
<b>Telephone:</b>	
<b>Mobile / Fax:</b>	
<b>E-mail:</b>	
<b>Mailing Address:</b>	

*Incomplete applications cannot be processed – See reverse side for checklist*

**Applicant Signature / Date:**

*[Handwritten Signature]* FOR JEFFERY A. BOONE, ESQ.

# APPLICATION CHECKLIST

Required documentation (provide one copy of the following, unless otherwise noted):

- Statement of Ownership & Control**
- Signed, Sealed and Dated Survey of Property**
- Agent Authorization Letter**
- Narrative describing the petition**

You must restate and address each of the following as an attachment to the project narrative:

- Special circumstances exist in relation to the land, structures or buildings as compared to other land, structures or buildings in the same zoning district and the special circumstances are not the fault of the applicant;
- The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property;
- The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure; and
- The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**Please See Attached**

## Fees

Application filing fee \$400.

Public notice fee in excess of \$50 will be billed to applicant and is not included in application fee.

## **GCCF Variance- Project Narrative**

The proposed GCCF PUD is 300 +/- acre property generally located south of Laurel Road, east of I-75, and north of Border Road. The proposed PUD would allow for the development of a residential community consisting of detached single-family homes, paired villas, and multi-family homes, assisted living facilities, amenity centers and open space, and non-residential uses including house of worship and medical office. The proposed building height for the property, in order to allow for 3 story structures is 42 feet.

During review of the PUD application City staff determined a variance was required for building heights in excess of 35 feet, but less than 45 feet. Therefore, the applicant hereby requests a variance to Sec. 86-130(h) to allow for buildings up to 42 feet for the entirety of the GCCF PUD (see attached PUD plan).

The proposed building height is compatible with the surrounding land uses and located to minimize off-site impacts, if any. Please see the attached evaluation of Sec. 86-46(4) regarding considerations in granting variances.

Sec. 86-46(4)

Considerations in granting. The planning commission shall, based upon substantial and competent evidence, make an affirmative finding on each of the following in granting a variance petition:

- a. Special circumstances exist in relation to the land, structures or buildings as compared to other land, structures or buildings in the same zoning district and the special circumstances are not the fault of the applicant;

**Delays in implementation of updates to the Land Development Regulations following the 2010 Comprehensive Plan update and the ongoing efforts to update the Land Development Regulations following 2017 Comprehensive Plan update, special circumstances which are not the fault of the applicant, have resulted in a partially updated Land Development Code which changed the point to where height is measured (peak of roof) without completing the update to the Land Development Code to adjust allowable building heights accordingly to 42'.**

- b. The literal interpretation of the provisions of this chapter would result in unnecessary and undue hardship to the property;

**The literal interpretations of this chapter would result in unnecessary and undue hardship to the property by limiting the applicant's ability to construct buildings in excess of two stories.**

- c. The variance, if granted, is the minimum variance necessary to meet the requested use of the land, building or structure; and

**The variance request for 42', including parking, is the minimum variance necessary to allow for the construction of three story buildings, and would result in an overall reduction in height from the currently permitted height of 35' over 10' of understructure parking (total of 45').**

- d. The grant of the variance will be in harmony with the general intent and purpose of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**The grant of the variance will be in harmony with the general intent and purpose of this chapter which is to allow for construction of 3 story buildings. Three story buildings will not be injurious to the neighbors or otherwise detrimental to the public welfare.**